



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/750,698

01/02/2004

William D. Cottrell

8534-001

3826

7590

05/23/2006

MacCord Mason PLLC

1600 Wachovia Tower

300 N. Greene Street

P.O. Box 2974

Greensboro, NC 27402

EXAMINER

EDELL, JOSEPH F

ART UNIT

PAPER NUMBER

3636

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/750,698	Applicant(s) COTTRELL ET AL.	
	Examiner Joseph F. Edell	Art Unit 3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-27 and 29-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-27 and 29-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 15 March 2006 has been entered.

### ***Claim Objections***

2. Claim 30 is objected to because of the following informalities: "at least one post" (line 2) should read --said at least one post--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-9, 15, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,449,011 to Edwards et al.

[illegible]

Diagram A - Annotated Figure 2 of Edwards et al.

Art Unit: 3636

5. Claims 1-3, 12, 15, 18-21, 30, 35, and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,713,633 to Lu.

Lu discloses a vehicle mounted peripheral device station that includes all the limitations recited in claims 1-3, 12, 15, 18-21, 30, 35, and 36. Lu shows a vehicle mounted peripheral device station having a vehicle seat 50 (Fig. 1) capable of receiving a removable headrest 60 (Fig. 1), a peripheral device 72 (Fig. 9), an adaptor (Fig. 2) capable of securing the peripheral device to the vehicle seat, a support surface 40,61 (Fig. 1) attached to the peripheral device and the adaptor, and at least one receptacle (see Fig. 4) to receive a post 30 wherein the peripheral device is capable of being secured to the peripheral device so that the peripheral device does not slide off the adaptor when the headrest is tilted, the support surface is a horizontal plate 40 having a plurality of edges, and the at least one post is vertically pivotable.

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 12, 13, 15-17, 20-27, 30, 31, 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al. in view of U.S. Patent No. 6,022,078 to Chang.

Edwards et al. disclose a vehicle mounted peripheral device station that is basically the same as that recited in claims 12, 13, 15-17, 20-27, 30, 31, 33, and 34 except that the posts lack receptacles in the vehicle seat and distal adjustment between the posts, as recited in the claims. See Figure 4 of Edwards et al. for the teaching that the support surface includes a horizontal plate with edges. Chang shows a headrest similar to that of Edwards et al. wherein first and second posts 60 (Fig. 1) are received in receptacles of a vehicle seat (see column 1, lines 13-20), and the distance between the first and second posts is adjustable (see Fig. 4). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the vehicle mounted peripheral device station of Edwards et al. such that the vehicle seat includes first and second receptacles to receive the first and second posts, and at least one of the posts is adjustable to modify the distance between the first and second posts, such as the headrest disclosed in Chang. One would have been motivated to make such a modification in view of the suggestion in Chang that the adjustable posts of the headrest allows the headrest to accommodate different engaging devices wherein the headrest is vertically adjustable.

8. Claims 11 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edwards et al. in view of Chang as applied to claims 12, 13, 15-17, 20-28, 30, 31, 33, and 34 above, and further in view of U.S. Patent No. 4,858,994 to Yamashita.

Edwards et al., as modified, disclose a vehicle mounted peripheral device station that is basically the same as that recited in claim 11 and 29 except that the securing means lacks adhesive, as recited in the claims. Yamashita shows a headrest similar to

Art Unit: 3636

that of Edwards et al. wherein support surface 9 (see Fig. 1) is attached to core 1 by adhesive. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to further modify the vehicle mounted peripheral device station of Edwards et al. such that the securing means is an adhesive, such as the headrest disclosed in Yamashita. One would have been motivated to make such a modification in view of the suggestion in Yamashita that the adhesive securing allows for attachment of disparate articles.

9. Claims 14 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of U.S. Publication No. 2003/023455 A1 to Brooks et al.

Lu discloses a vehicle mounted peripheral device station that is basically the same as that recited in claims 14 and 32 except that the peripheral device lacks a printer, as recited in the claims. See Figure 9 of Lu for the teaching that the peripheral device may be a television set, a game set, and/or a karaoke machine. Brooks et al. shows a peripheral device similar to that of Lu wherein the peripheral device includes a visual displaying device 72 (see Fig. 4) with a printer 92. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the vehicle mounted peripheral device station of Lu such that the peripheral device includes a printer, such as the peripheral device disclosed in Brooks et al. One would have been motivated to make such a modification in view of the suggestion in Brooks et al. that the peripheral device with a printer that communicates with a DVD playing computer display.

### ***Response to Arguments***

10. The reply filed on 15 March 2006 includes no arguments under the heading "Remarks" pointing out disagreements with the Examiner's contentions in the Office Action mailed 10 August 2005. It is presumed Applicant finds that the limitations of presently canceled claims 10 and 28 recite features not taught in the prior art. With respect to the amendment to claims 1, 15, and 20, the use of "securing means" fails to invoke 35 U.S.C. 112, sixth paragraph, because it does not meet the three prong analysis set forth in MPEP § 2181. As a result, this language is interpreted merely as functional language and not as a "means plus function" limitation. Therefore, Edwards, Lu, and Yamashita alone and/or in combination teach the use of pins, adhesives, etc. for securing devices to adaptors in vehicle mounted peripheral device stations such that the amendments to claims 1, 15, and 20 do not read over the prior art.

### ***Conclusion***

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of



Art Unit: 3636


the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph F. Edell whose telephone number is (571) 272-6858. The examiner can normally be reached on Mon.-Fri. 8:30am-5:00pm.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JE  
May 19, 2006

  
**Peter M. Cuomo**  
**Supervisory Patent Examiner**  
**Technology Center 3600**